



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
PO Box 45050, Olympia, WA 98504-5050

January 13, 2014

TO: Stakeholders

FROM: Bill Moss, Assistant Secretary, Aging and Long-Term Supports Administration (ALTSA)
Evelyn Perez, Assistant Secretary, Developmental Disabilities Administration (DDA)

SUBJECT: New Centers for Medicare and Medicaid Services (CMS) Regulations Regarding Home & Community Based Services (HCBS)

This memo is to alert you of changes to the Code of Federal Regulations (CFR) regarding HCBS programs, which will be published as Final Rules on January 16, 2014. The CMS final rule addresses several sections of Medicaid laws, including:

- Defining and describing the requirements for home and community-based settings;
- Defining person-centered planning requirements;
- Offering expanded HCBS to target services to specific populations;
- Allowing states the option to combine coverage for multiple target populations under one waiver;
- Allowing states a five-year renewal cycle for waivers and state plan amendments; and
- Providing CMS with additional compliance options beyond waiver termination for 1915(c) HCBS waiver programs.

To minimize disruptions in service systems during the transition to the new rules, CMS is allowing states a one-year period to submit a transition plan for coming into compliance with these regulations. During this year, the ALTSA and DDA staff will be analyzing the effects of these rule changes and evaluating current settings that may not meet the requirements for HCBS settings under the new rules. Stakeholders will be provided the opportunity to provide input into the state's transition plan.

While CMS expects states to transition into compliance in as brief a period as possible, CMS is allowing transition plans of up to five years in duration. During this time, ALTSA and DDA staff will be working with any affected providers to ensure continuity of care for Medicaid participants.

For more information, including the Press Release, Information Bulletin, Fact Sheets, and the Final Regulation, please go to: <http://www.medicaid.gov/HCBS>

Cc: Bea Rector, Director, Home and Community Services
Irene Owens, Interim Director, Residential Care Services
Renee Fenton, Communications Manager